



Department of Justice

October 5, 1992

**SUMMARY OF ANTITRUST ENFORCEMENT ACTIONS
FOR PUBLIC RELEASE
FOR FRIDAY, SEP. 25, 1992 THROUGH FRIDAY, OCT. 2, 1992**

9/25/92 U.S. v. Ollie L. Wood
Criminal No.: CR92-220-01-G (M.D.N.C.)

One-count information was filed in U.S. District Court in Greensboro, North Carolina, charging Ollie L. Wood, former division manager and division sales manager for Flav-O-Rich, Inc., with rigging bids, in violation of Section 1 of the Sherman Act, submitted to certain school boards in North Carolina for the award and performance of contracts to supply dairy products to public schools, beginning at least as early as 1982 and continuing thereafter at least through June 1988.

9/28/92 Justice Department Will Not Challenge Ingersoll-Rand/
Dresser Proposed Merger Upon Completion of Certain
Divestitures

The Department of Justice, Antitrust Division, announced that it will not challenge the proposed merger of the pump operations of Ingersoll-Rand Co. and Dresser Industries Inc. in light of the parties' agreement to resolve the Department's competitive concerns. Ingersoll-Rand and Dresser will sell certain pump lines and assets to Goulds Pumps, a major manufacturer of pumps for the chemical, pulp and paper industries. In February 1992, the Department had announced its intent to file a civil antitrust suit to enjoin the proposed merger involving Ingersoll-Rand's pump operation and Dresser because it was likely to lessen competition substantially in the manufacture and sale of various types of highly engineered pumps in the United States. The Department

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had concluded that the markets for these pumps was highly concentrated and entry into them was difficult and costly. The assets to be divested include four lines of Dresser pumps and one line of Ingersoll-Rand pumps. This divestiture will ensure that competition for the manufacture of engineered pumps used in petroleum processing and electric power generation in the United States continues unabated.

9/28/92 U.S. v. Agostino Antiques, Ltd.
Criminal No.: 92-10280-K (D. Mass.)

One-count information was filed in U.S. District Court in Boston, Massachusetts, charging Agostino Antiques, Ltd., a Delaware corporation with its principal place of business in New York, New York, with collusive bidding, in violation of Section 1 of the Sherman Act, for the purchase of antiques at a public auction that was conducted by Gustave J. S. White & Co. on September 30 and October 1, 1987 at Harbour Court, Newport, Rhode Island.

9/28/92 U.S. v. Joe Gilmer
Criminal No.: 6:92CR52 (E.D. Tex.)

One-count information was filed in U.S. District Court in Tyler, Texas, charging Joe Gilmer, general sales manager and later general manager for Borden, Inc. of Tyler, Texas, with rigging bids, in violation of Section 1 of the Sherman Act, for the award and performance of contracts to supply fluid milk to public school districts located in east Texas, beginning at least as early as late 1964 and continuing thereafter until at least June 1990.

9/28/92 U.S. v. Charles L. Burgess
Criminal No.: 92-00196-RV (S.D. Ala.)

One-count information was filed in U.S. District Court in Mobile, Alabama, charging Charles L. Burgess, former general manager of Barber Dairies, Inc.'s Mobile, Alabama plant, with rigging bids, in violation of Section 1 of the Sherman Act, for the award and performance of contracts to supply milk to county school boards within the Florida Panhandle and south Alabama, beginning at least as early as the early 1970s and continuing thereafter at least through July 1988.

9/28/92 U.S. v. Barber Dairies, Inc.
Criminal No.: 92-00197-RV (S.D. Ala.)

One-count information was filed in U.S. District Court in Mobile, Alabama, charging Barber Dairies, Inc., an Alabama corporation with offices in Pensacola, Florida and Mobile, Alabama, with rigging bids for the award and performance of contracts to supply milk to county school boards within the Florida Panhandle and Mobile County, Alabama, beginning at least as early as sometime in the 1970s and continuing thereafter at least through July 1988.

9/28/92 U.S. v. C. Jack Williamson
Criminal No.: 92-00198-RV (S.D. Ala.)

One-count information was filed in U.S. District Court in Mobile, Alabama, charging C. Jack Williamson, sales manager of Dairy Fresh Corporation's Pritchard, Alabama plant, with rigging bids, in violation of Section 1 of the Sherman Act, for the award and performance of contracts to supply milk to county school boards within the Florida Panhandle and south Alabama, beginning at least as early as the early 1970s and continuing thereafter at least through July 1988.

9/29/92 U.S. v. Cookson Group PLC, Electrovert LTD., and
Electrovert U.S.A. Corp.
Civil No.: 92-2206 (D.D.C.)

A civil complaint was filed in U.S. District Court in Washington, D.C., challenging the acquisition of Hollis Automation Co. by Electrovert U.S.A. Corp. At the same time, a proposed consent decree was filed which, if approved by the court, will resolve the suit by requiring Electrovert to grant North American rights to all of Hollis' wave soldering technology to two other firms presently selling wave soldering machines in the United States. The complaint alleges that the acquisition would violate Section 7 of the Clayton Act by substantially lessening competition in United States high performance and mid-range wave soldering machine markets. Wave soldering machines are used to attach electronic components to printed circuit boards.

9/29/92

U.S. v. Flav-O-Rich, Inc.

Criminal No.: 1:92-CR-359 (N.D. Ga.)
Criminal No.: CR3-92-188 (E.D. Tenn.)
Criminal No.: 3:92-476 (D.S.C.)
Criminal No.: CR-92-42 (E.D. Ky.)
Criminal No.: 92-00106(L)(C) (S.D. Miss.)
Criminal No.: CR-92-242-01-G (M.D.N.C.)
Criminal No.: CR92-00023-01-B(M) (W.D. Ky.)

Seven informations were filed in U.S. District Courts in Atlanta, Georgia; Pikeville, Kentucky; Bowling Green, Kentucky; Jackson, Mississippi; Greensboro, North Carolina; Columbia, South Carolina; and Knoxville, Tennessee, charging Flav-O-Rich, Inc. of Louisville, Kentucky with rigging bids, in violation of Section 1 of the Sherman Act, on contracts to supply milk and other dairy products to public schools in seven separate conspiracies. Flav-O-Rich has agreed to plead guilty and pay fines totaling \$7 million. Pursuant to a civil settlement agreement, Flav-O-Rich and Dairymen also will pay the United States \$750,000 to settle the United States claims for civil damages and penalties against Flav-O-Rich for antitrust violations in the dairy products industry.

9/29/92

U.S. v. Hygrade Insulators, Inc.

Criminal No.: 92-559 (E.D. Pa.)

One-count information was filed in U.S. District Court in Philadelphia, Pennsylvania, charging Hygrade Insulators, Inc. of Phillipsburg, New Jersey, with rigging bids, in violation of Section 1 of the Sherman Act, for certain polyurethane foam contracts in Pennsylvania, New York and New Jersey, beginning at least as early as February 1987 and continuing at least into August 1990. Polyurethane foam is a material used in roofing projects.

9/29/92

U.S. v. Mike Compton

Criminal No.: 3-92CR-407-R (N.D. Tex.)

One-count information was filed in U.S. District Court in Dallas, Texas, charging Mike Compton, branch manager of Oak Farms, Inc.'s Wichita Falls, Texas Branch, with rigging bids, in violation of Section 1 of the Sherman Act, for the award and performance of contracts to supply fluid milk to public school districts and certain public and private hospitals located in north central Texas, beginning at least as early as late 1985 and continuing thereafter until at least May of 1991.

9/29/92 U.S. v. Minibar America, Inc.
Criminal No.: CR92-465WD (W.D. Wash.)

One-count information was filed in U.S. District Court in Seattle, Washington, charging Minibar America, Inc., a Delaware corporation with its principal place of business in Bethesda, Maryland, with wire fraud (18 U.S.C. 1343) in connection with a scheme and artifice to defraud a hotel corporation in Washington State on a contract governing the purchase or lease of mini-bars.

9/29/92 U.S. v. Servisystems America, Inc.
Criminal No.: CR92-466Z (W.D. Wash.)

One-count information was filed in U.S. District Court in Seattle, Washington, charging Servisystems America, Inc., a Delaware corporation with its principal place of business in Bethesda, Maryland, with mail fraud (18 U.S.C. 1341) in connection with a scheme and artifice to defraud a hotel corporation in Washington State on a contract governing the purchase or lease of mini-bars.

9/29/92 U.S. v. Daniel W. Turner
Criminal No.: 1:92-CR-360 (N.D. Ga.)

One-count information was filed in U.S. District Court in Atlanta, Georgia, charging Daniel W. Turner, former general sales manager of Atlanta Dairies Cooperative and later employed by Land-O-Sun Dairies, Inc., with rigging bids, in violation of Section 1 of the Sherman Act, submitted to certain school boards in Georgia for the award and performance of contracts to supply dairy products to the public schools in various school districts there, beginning at least as early as 1985 and continuing thereafter at least through June 1988.

9/30/92 U.S. v. Greater Bridgeport Individual Practice Association, Inc.
Civil No.: 592CV00575 EBB (D. Conn.)

A civil complaint was filed in U.S. District Court in New Haven, Connecticut, charging Greater Bridgeport Individual Practice Association Inc. (GBIPA) with illegally boycotting a health maintenance organization, Physicians Health Services of Connecticut, Inc., (PHS) by agreeing not to contract individually with PHS, in violation of Section 1 of the Sherman Act. The complaint

alleges that in 1989 and prior to the expiration of GBIPA's contract, GBIPA and its co-conspirators agreed not to contract individually with PHS in part, to increase the fees paid to GBIPA for GBIPA physicians' services. At the same time, the parties also filed a proposed consent decree that, if accepted by the court, will settle the suit, by prohibiting the alleged conduct and restricting certain other actions of GBIPA that could facilitate anticompetitive conduct.

Copies of legal filings are available from the Legal Procedure Unit, Antitrust Division, Room 3233, Telephone No.: 514-2481.

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